

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

SILAS ERIC MCDANIEL,

Plaintiff,

v.

CAROLYN W. COLVIN
Acting Commissioner of Social Security,

Defendant.

CIVIL ACTION NO. 6:13-cv-00055

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the parties' cross Motions for Summary Judgment (docket nos. 13 and 15), and the Report & Recommendation of United States Magistrate Judge Robert S. Ballou (docket no. 21, hereinafter "Report"). Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Ballou for proposed findings of fact and a recommended disposition. The parties filed cross motions for summary judgment, and on February 10, 2015, Judge Ballou filed a Report recommending that Plaintiff's Motion for Summary Judgment (docket no. 13) be denied, and the Commissioner's Motion for Summary Judgment (docket no. 15) be granted. After a review of the record in this case, and no objections having been filed to the Report within fourteen days of its service upon the parties, I adopt the Report in its entirety.

Accordingly:

1. The Report of February 10, 2015 (docket no. 21), is hereby **ADOPTED** in its entirety;
2. Plaintiff's Motion for Summary Judgment (docket no. 13) is hereby **DENIED**;

3. Defendant's Motion for Summary Judgment (docket no. 15) is hereby
GRANTED; and

4. This case is hereby **DISMISSED**.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all
counsel of record and to United States Magistrate Judge Robert S. Ballou.

It is so ORDERED.

Entered this 3rd day of March, 2015.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE